

governmentattic.org

"Rummaging in the government's attic"

Description of document: Table of contents for the Securities and Exchange

Commission (SEC) Division of Enforcement Case Closing

Manual, 2017

FOIA request date: 23-June-2017

Denial date: 19-July-2017

Appeal date: 31-July-2017

Release date: 23-August-2017

Posted date: 24-September-2017

Source of document: Securities and Exchange Commission

Office of FOIA Services ATTN: FOIA Appeals

100 F Street NE, Mail Stop 2465

Washington, DC 20549 Fax: (202) 772-9337 Online FOIA Appeal Form

The governmentattic.org web site ("the site") is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.

UNITED STATES SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549



Stop 9612 August 23, 2017

Via electronic mail

Re: Appeal, Freedom of Information Act Request No. 17-02968-FOIA, designated on appeal as No. 17-00523-APPS

This responds to your Freedom of Information Act (FOIA) appeal of the FOIA Officer's decision regarding your June 23, 2017 FOIA request for a copy of the "title page and table of contents only for the Division of Enforcement Case Closing Manual." By letter dated July 19, 2017, the FOIA Officer denied your request, withholding the one-page document pursuant to 5 U.S.C. §§ 552(b)(5), (b)(7)(E). On July 31, 2017, the FOIA Office received your appeal challenging the FOIA Office's decision to withhold this record.

I have considered your appeal and it is granted. Enclosed is a copy of the requested record. If you have any questions regarding this determination, please contact Mark Tallarico, Senior Counsel, at 202-551-5132.

For the Commission by delegated authority,

Richard M. Humes Associate General Counsel

Enclosure



CASE CLOSINGS

1.	Introduction	2
2.	High Level View of the Process	2
3.	Standards for Closing a Case	3
	3.1. MUIs with No Resulting Investigations	3
	3.2. Investigations with No Resulting Enforcement Actions	3
	3.3. Cases that Have Resulted in Enforcement Actions	4
4.	How to Recommend Closing a Case: 5 Steps for Assigned Staff and Supervisors	4
5.	Case Closing Narrative	6
6.	Supervisor Representations in the Case Closing Recommendation Form	6
	6.1. Litigation Hold Notices Requiring Document Preservation Post-Closure	6
	6.2. Access Grants Requiring Document Preservation Post-Closure	6
	6.3. Notice to Office of the Whistleblower	6
	6.4. Termination Letters	7
	6.5. All Enforcement Actions Concluded (If Any)	7
7.	CMS Representations in the Case Closing Recommendation Form	7
	7.1. Records Management Checklist	7
	7.2. Formal Order	7
	7.3. Termination Letters	8
	7.4. Action Memos	8
	7.5. Litigation Documents	8
	7.6. Litigation Parties and CRIS Accounts	8
8.	Senior Officer Review of the Recommendation and Execution of the Case Closing Report.	. 8